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LETTER OF JUDGE EPHRAIM MARSH, OF NEW-JERSEY,

Who Presided at the Convention which Nominated MILLARD FILLMORE,
GIVING HIS REASONS FOR SUPPORTING COL. J. C. FREMONT.

WE stated some days ago, that Hon. Ephraim Marsh, of this State, who presided at the National American Convention which nominated Fillmore and Donelson, had decided to support Fremont and Dayton. We have just received from him the following letter to his colleagues. (who, with him, represented the Americans of this State in the Convention.) in which he ably reviews the principles at stake in the contest, and gives his reasons for supporting the republican candidates. He only reiterates the convictions of every honest practical man who has reflected upon the subject—that the only issue in this contest is between the extensionists of slave power, headed by Buchanan, and the friends of freedom in the Territories, who have nominated Fremont; and to support Mr. Fillmore, would be only casting his vote for the former—or, at best, throwing it away. The letter will be read with interest and produce a powerful effect upon those who have hitherto sympathized in the cause in which Judge Marsh was at first enlisted.—*Newark Daily Advertiser*.

SCHOOLEY'S MOUNTAIN, N. J. Sept. 10, 1856.

MESSRS. JOHN H. LYON, JOSEPH W. ALLEN, L. OTT,
E. H. GRANDIN, J. R. CORNELL, JOHN R. WEEKS:

GENTLEMEN:—Having been constrained by the course of public events, occurring since the meeting of the American National Convention, by which the Hon. Millard Fillmore was nominated for President of the United States, over which Convention I had the honor to preside, to renounce that nomination, you, as my colleagues in that Convention, are entitled to my reasons for so doing, and I will proceed briefly but frankly to state them.

It was known to my friends at Philadelphia that the pro-slavery platform there adopted, and which drove so many Northern delegates from the Convention, was repugnant to my sentiments and sympathies. But confiding in the principles of Mr. Fillmore, who in the Legislature of New-York, and in Congress, had ever acted with the friends of Freedom, I acquiesced in an exceptionable platform. In view of the perfidious repeal of the Mis-

souri Compromise, and the aggressions and outrages perpetrated by Missourians upon Kansas, with more than the approval of the general government, I looked for some expression of the sentiments which pervaded the whole North—sentiments that Mr. Fillmore had ever professed in his letter of acceptance. But in this expectation I was disappointed. There was a studied and significant avoidance in that letter, of the question upon which he knew, as we all know, the Presidential election is to be decided, either in favor of, or against Slavery extension. Nor was I less disappointed in finding the friends of Mr. Fillmore in Congress voting steadily, throughout a protracted session, with the supporters of aggression and outrage in Kansas, and persisting in such votes, after, by the report of the Kansas Congressional Committee, it had been irrefragably proven that the elections in Kansas had been carried by armed bodies of men from Missouri; that an infamous code of Territorial laws had been enacted in Kansas by Missourians; that free presses in Kansas had been destroyed by Missourians; that settlers in Kansas had been robbed and murdered by Missourians; that organized and armed bodies of men from Missouri and other Slave States had sworn, in secret societies, that Kansas shall become a Slave State; and finally, that all these outrages were perpetrated with the aid and approbation of a United States Judge and Marshal, and in the presence of United States troops. But these great wrongs, though arousing the just indignation of freemen, have elicited no word of reproof from Mr. Fillmore. On the contrary, in his speech at Albany, he astounded the country in declaring that the election of Col. Fremont by the spontaneous suffrages of a majority of the citizens of the republic, would occasion a dissolution of the Union. And up to the last vote in the called session of Congress, when the friends of freedom endeavored, in the Army Appropriation Bill, to protect the citizens of Kansas, by the adoption of a conservative proviso, Hon. Mr. Haven, the confidential partner and partisan of Mr. Fillmore, voted with the pro-slavery majority. Indeed, since the commencement of

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J. Prof. Fitzguald

the just closed session of Congress, Slavery has not obtained an advantage that it did not owe to the votes of Mr. Fillmore's friends; nor has freedom encountered a defeat that did not come from the same quarter of the House of Representatives. His friends, holding the balance of power, turned the scale, when it would turn in favor of Slavery.

And where, or in what respect, has Mr. Fillmore profited, politically, by all these sacrifices of principle?—all these violations of duty—all these surrenders of independence—all this self abasement? What has been gained by bartering freedom for Slavery?

His nomination, as you know, was demanded by our Southern brethren, who would only consent, even to his nomination, upon terms that drove most of the Northern delegates out of the Convention. It was painfully apparent in the deliberations of our Convention that Americanism was but a secondary object. Slavery was with them a paramount consideration. While, for the sake of the broad American principles that had taken deep hold of the public mind, we were prepared to ignore the Slavery question, they insisted upon making it, and did make it, the primary article of faith in our platform.

And how, after imposing terms which have shorn the American party of its Northern strength, do the South Americans act? Have they kept or broken faith with us? In North Carolina, whose election is just over, the American party is virtually disbanded. The Hon. Mr. Puryear, an American member of Congress from that State, concedes the State to Mr. Buchanan, though, aside from Slavery, there is an acknowledged political majority against him.

In Kentucky, where was one year ago a triumphant American majority, our party is beaten, if not annihilated. Col. Humphrey Marshall, a gallant leader, seems to have nailed his colors to the mast; but that only proves that he is "faithful among the faithless."

The Hon. Mr. Walker, of Alabama, a member of our Convention, who was among the most zealous advocates of Mr. Fillmore's nomination, has, from his seat in Congress, proclaimed his abandonment of Mr. Fillmore and his adhesion to Mr. Buchanan. Senator Jones, of Tennessee, with Senators Pratt and Pearce, of Maryland, life-long opponents of the Democratic party, have proclaimed themselves in favor of Mr. Buchanan, and now stand along with Senators Cass, Douglass, Atchinson, &c. upon the Cincinnati platform. There has been, within the last three months, and since

the issue which is to give freedom to or force Slavery into Kansas was made up, a regular political stampede from the Southern Whig and American parties over to the support of Mr. Buchanan.

Now what, let me inquire, does all this mean? Mr. Fillmore, as you well know, was the nominee of the Southern States. Those delegates were not only for him, but would take none else. Why, then, do they abandon him? Simply because they having but one interest in politics and watchfully consulting the political barometer, are guided by its suggestions. They calculate the chances and the cost of a Presidential election. The platform upon which they placed Mr. Fillmore offended Northern sentiment. The action in Congress and the events in Kansas have awakened throughout the North and West an indignation so deep and pervading as to deprive Mr. Fillmore of the votes of every Free State. To qualify himself for acceptance in Slave States, Mr. Fillmore had to take grounds which necessarily repelled the Free States, and having thus lost the North, the South, for that reason, abandons him. In this the South acts understandingly, and is true to herself. Mr. Fillmore became valueless to Slavery the moment it was certain that he could not subsidize the North. And although abandoned by those who nominated him, neither Mr. Fillmore nor his friends can justly charge the South with bad faith, for the terms of the compact were distinctly understood. They aimed, with Americanism as a cover, to extend Slavery. He was to bring Northern strength. Unable from the stringency of the terms imposed and the enormity of the outrages perpetrated in Kansas to do that, the consideration failed, and the South declares for Buchanan instead of Fillmore, as the most available candidate. If, therefore, the South, as it has done whenever a "Northern man with Southern principles" ceases to be useful, lets Mr. Fillmore "slide," he must console himself, as did Cardinal Wolsey, with the reflection that if he "had served freedom with half the zeal he has given to Slavery, he would not now be left naked to his enemies." Nor is this poetic truth only, for while serving freedom, no man was more honored and prospered than Millard Fillmore, rising as he did from station to station, higher and higher, in the State and national governments, and enjoying, until tempted by ambition to abandon his principles and party, universal regard and confidence.

Shall we, of the North, then be required to adhere to a nomination which has been deliberately abandoned by the South? Shall we cling to Mr.

Fillmore after those most earnest for his nomination are supporting Mr. Buchanan.

This is the practical question. Let us, therefore, look it practically in the face :

Even in the present state of the canvass, all but one or two of the Southern States are not only sure to vote for Mr. Buchanan, but are made sure by the votes of Southern Americans, who were pledged to Mr. Fillmore. As the canvass progresses, and Northern sentiment develops and concentrates in favor of Col. Fremont, the remaining one or two Southern States will declare unmistakably for Mr. Buchanan, on whom the whole South will be united.

On the other hand the Free States, with the exception of New Jersey and Pennsylvania, have, or in the progress of the canvass will declare for Fremont. The nominee of the American party, abandoned by the South, though espousing its principles, and repudiated by the North because of his subserving to the South, is driven into New Jersey and Pennsylvania, two States upon which his friends hang a "forlorn hope." But does Mr. Fillmore, or any sane man, suppose or pretend that he can carry either of these States? Assuredly not.

It is certain, however, and it is conceded, that a union of the Americans and Republicans in both States, would take them from Buchanan and carry them where they belong, into brotherhood and fraternity with freedom.

May I not, then, rely upon the patriotism of my American friends, appeal to them with confidence in favor of union here in my own State, and in our sister State of Pennsylvania, for the sake of that glorious Union which we all love and cherish as an inheritance more precious than any other gift, though encumbered, as portions of it necessarily was, with Slavery? Does any one tell me in reply, that our American principles forbid this union? Of such let me inquire what has been done, or sought to be done, by Southern Americans in Congress, to carry out our principles? Have they passed, or attempted to pass any laws upon the American question? Or have their voices and their votes been given constantly in favor of Slavery extension? In refusing to unite with other friends of free Kansas, (the only issue involved in the contest), Americans in New Jersey and Pennsylvania are with their eyes open to the inevitable result, aiding Mr. Buchanan, whose national and State platforms contain open denunciation of the American party to carry these States. Yes, nothing is more certain than that New Jersey and Pennsylvania can elect or defeat Mr. Buchanan. The responsibility either way rests with the Americans. We can beat or be beaten by the party that is avowedly hostile to freedom and to Americanism. We cannot elect Mr. Fillmore, and for one, after the course pursued in Congress by his immediate representatives, after his own disloyal declarations in favor of a dissolution of the Union,

in the event of Col. Fremont's election, I am free to say I do not desire his success.

I have heard but two tangible reasons urged against Colonel Fremont. The first is that he is a sectional candidate. This is neither his fault nor the fault of those who support him. The repeal of the Missouri Compromise was a national question and a national wrong.

The extension of Slavery beyond its constitutional boundary is a national question. If, as in the repeal of that compromise, national compacts were violated, may not the people seek national redress? In what way, or by what means, can that wrong be righted but in a constitutional manner, through the ballot boxes? The freedom of Kansas and Nebraska was violated by the Executive and Legislative departments of the government. May we not, without incurring the reproach of sectionalism, endeavor to re-establish freedom in those Territories by reforming the Executive and Legislative departments!

Who set up the cry of sectionalism when General Jackson, from Tennessee, and Mr. Calhoun, from South Carolina, were President and Vice-President? Why, Mr. Fillmore himself, who now counsels a dissolution of the Union if Fremont and Dayton should be elected, supported sectional candidates for President and Vice-President in 1828 and 1834. The idea of dissolving the Union for such a cause is, I am happy to see, denounced by enlightened and patriotic Southern men.

General Houston, the distinguished Senator from Texas, in his closing speech in the Senate, said:—"They tell me if Fremont is elected, forty thousand bayonets will bristle about the Capitol—that the South, in fact, will secede. Mr. President, I scorn the suggestion. There will be neither bristling bayonets nor secession, if Col. Fremont shall be elected by a majority of the people. Though I am not his supporter, I shall respect the majority of the people; and to Col. Fremont, as the Chief Magistrate of their choice, I shall pay my respectful homage." The Hon. Henry Winter Davis, a talented and eloquent member of Congress from Maryland, holds the following sentiments, which are much more becoming an American than those uttered by Mr. Fillmore at Albany:

"There are men who go about the country declaiming about the inevitable consequences of the election of Fremont; and the question is asked, whether that simple fact is not sufficient, not merely to justify but to require a dissolution of the Union? The question has been asked me to-day. That is a question which I do not regard as even a subject of discussion. It never will be done while men have their reason. It never will be done until some party, bent upon acquiring party power, shall again and again and again exasperate beyond the reach of reason the Northern and Southern minds, as my Southern friends have now exasperated the Northern mind. It would be an act of suicide, and sane men do not commit suicide. The act itself is insanity. It will be done, if ever, in a tempest of fury and madness which cannot stop to reason. Dissolution means death, the suicide of Liberty, without a hope of resurrection—death without the glories of immortality; with no sister to mourn her fall, none to wrap her decently in

her winding sheet and bear her tenderly to a sepulchre—dead Liberty, left to all the horror of corruption, a loathsome thing, with a stake through the body, which men shun, cast out naked on the highway of nations, where the tyrants of the earth who feared her living, will mock her dead, passing by on the other side, wagging their heads and thrusting their tongues in their cheeks at her, saying, "Behold her, how she that was fair among the nations, is fallen! is fallen!"—and only the few wise men who loved her out of every nation will shed tears over her desolation as they pass, and east handfuls of earth on her body to quiet her manes, while we, her children, stumble about her ruined habitations, to find dishonorable graves wherein to hide our shame.

"Dissolution? How shall it be? who shall make it? Do men dream of Lot and Abraham parting, one to the east and the other west, peacefully, because their servants strive? That States will divide from States, and boundary lines will be marked by compass and chain? Sir, that will be a portentous commission that shall settle that partition, for cannon will be planted at the corners, and grinning skeletons be finger-posts to point the way. It will be no line gently marked on the bosom of the republic—some meandering vein whence generations of her children have drawn their nourishment—but a sharp and jagged chasm rending the hearts of great commonwealths lacerated and smeared with fraternal blood. On the night when the stars of her constellation shall fall from heaven, the blackness of darkness forever will settle on the liberties of mankind in this western world."

The other objection to Mr. Fremont addresses itself particularly to Americans. It is alleged that he is a Roman Catholic. The force of this objection depends upon its truth or falsity. It is a simple question of fact. The charge originated in the *New-York Express*, and rested upon the declaration of Alderman Fulmer, who says that when at Brown's Hotel, in Washington, in the winter of 1853, he saw Col. Fremont worshipping in a Catholic church; that he conversed with the Colonel on the subject of religion, and that he defended the extreme doctrines of the Romish church. By reference to the columns of the same *Express*, it is shown that Col. Fremont was, during the whole of the time Alderman Fulmer locates him at Washington, on board of the ocean steamers. An examination of the register and cash books of Brown's Hotel, show that Col. Fremont was not, during the years of 1852 and '53, at that hotel. Here is conclusive, independent evidence that Alderman Fulmer is mistaken. This testimony is confirmed by Col. Fremont's denial of the whole story. The archives of the Episcopal church at Washington show that Col. Fremont's children had Protestant baptism. Mr. Livingston, who was Col. Fremont's companion across the Rocky Mountains, says that he carried with him a pocket Protestant Bible. He presented his wife with a Protestant prayer-book before their marriage.

His preceptor says that he received a Protestant education. Col. Fremont says to everybody that inquires of him, that he is and ever has been a Protestant. And yet, not only in the absence of all testimony, but after every allegation has been disproved, those who fabricated continue to reiterate the falsehood, and I am sorry to add, that too many intelligent, honest electors, who would require better evidence to convict a dog caught with the wool in his mouth, of killing sheep, believe that Colonel Fremont is a Papist.

It was said, you will remember, by many of our friends at Philadelphia, that Mr. Fillmore's name would be used at the South merely to divide the friends of freedom at the North. I did not believe it then, nor do I know that such was their design; but that Mr. Fillmore's name is now only used for that purpose is transparently certain. Nor should this surprise us, for it is just what the past has often revealed.

Mr. Van Buren, who for thirty years was devoted to the South, hesitated about the admission of Texas, and was thrown overboard.

Gen. Pierce, literally used up in promoting the repeal of the Missouri Compromise, and in sustaining border ruffianism, was remorselessly sacrificed at Cincinnati by the South for "an older, if not a better," doughface, whom they hope to elect. Differ as they may and do in relation to all other questions, on this every extreme of shade and sentiment and opinion unite. They regard the bank—the tariff—the public domain, &c., &c., subordinate questions, and differ upon them; but in voting upon the annexation of Texas—the admission of California free—the Fugitive Slave law—the repeal of the Missouri Compromise, &c. &c., they always unite; or if a Southern member gives a wrong vote, like Cullum of Tennessee, and Hunt of Louisiana, they are shot down. Why, then, should they not, as they have, make their Americanism subservient to their slavery? If, therefore, Mr. Buchanan should be elected, I see no end to the encroachments and usurpations of the Slave power—and hence I shall neither vote for him nor throw my vote away. In a contest which is to determine whether Slavery or Freedom is to be the governing principle of this Republic, I choose to cast my vote where it will tell for Freedom. These considerations lead me to the support of the Republican nominees for President and Vice-President, not because I am less an American than when our National Convention assembled, but because those by whom Mr. Fillmore was nominated, from Southern States, have abandoned him for a candidate openly and avowedly arrayed against the American party, thus sacrificing for Slavery both their candidate and their Americanism; and because, furthermore, by voting for Mr. Fillmore, while the contest is between Buchanan and Fremont, I should indirectly aid the former, whose principles, as an anti-American and Slavery extensionist, are obnoxious to all my convictions of duty.

Respectfully yours,

EPHRAIM MARSH.

Issued by the **Young Men's Fremont and Dayton Central Union**, of the City of New-York. Campaign Reading Room, Stuyvesant Institute, 659 Broadway; open daily from 8 A. M. to 11 P. M.

John W. Oliver, Steam Job Printer, 43 Ann-street, New-York.



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